



CITY OF MORGAN HILL
COMMUNITY DEVELOPMENT DEPARTMENT, PLANNING DIVISION

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PLANNING COMMISSION

TUESDAY, JUNE 8, 2004

CITY COUNCIL CHAMBERS
CIVIC CENTER
17555 PEAK AVENUE
MORGAN HILL, CA

COMMISSIONERS

CHAIR CHARLES D. WESTON
VICE-CHAIR RALPH LYLE
COMMISSIONER H. GENO ACEVEDO
COMMISSIONER ROBERT J. BENICH
COMMISSIONER ROBERT ENGLES
COMMISSIONER ROBERT L. ESCOBAR
COMMISSIONER JOSEPH H. MUELLER

REGULAR MEETING - 7:00 P.M.

*** A G E N D A ***

NOTICE TO THE PUBLIC

The following policies shall govern the conduct of the Planning Commission meetings:

- *All Planning Commission proceedings are tape-recorded.*
- *Individuals wishing to address the Planning Commission on a particular item should fill out a speaker card and present it to the Secretary. This will assist the Chairperson in hearing your comments at the appropriate time.*
- *When the Chairperson invites you to address the Commission, please state your name and address at the beginning of your remarks.*
- *Speakers will be recognized to offer presentations in the following order:*
 - *Those supporting the application*
 - *Those opposing the application*
 - *Those with general concerns or comments*
 - *Presentations are limited to 5 minutes.*

**DECLARATION OF POSTING OF AGENDA IN ACCORDANCE WITH
GOVERNMENT CODE SECTION 54954.2 - SECRETARY REPORT**

OPEN PUBLIC COMMENT PERIOD (5 MINUTES)

Now is the time for presentation from the public on items **NOT** appearing on the agenda that are within the Planning Commission's jurisdiction. Should your comments require Commission action, your request will be placed on the next appropriate agenda. No Commission discussion or action may be taken until your item appears on a future agenda. You may contact the Planning Division for specific time and dates. This procedure is in compliance with the California Public Meeting Law (Brown Act) G.C. 54950.5. Please limit your comments to five (5) minutes.

MINUTES: May 11, 2004 and May 25, 2004

OLD BUSINESS:

1. **ZONING AMENDMENT, ZA-04-01/SUBDIVISION, SD-04-08/DEVELOPMENT AGREEMENT, DA-04-01: TILTON-GLENROCK:** A request to amend the precise development plan for the Capriano subdivision located on the east side of Hale Ave., south of Tilton Ave. The proposed amendment would allow for 24 single family detached homes. Also requested is the approval of a 24-lot subdivision map and development agreement for a 27-acre portion of the 67 acre Capriano project. (APN 764-9-06, 16, 17, 32 & 33)

Recommendation: Open Public Hearing/Adopt Resolution Nos. 04-63 (zoning amendment); 04-64 (subdivision); and 04-65 (development agreement), with recommendation to forward requests to the City Council for approval.

NEW BUSINESS:

2. **USE PERMIT, UP-02-09: W. MAIN-DIAZ:** A request for approval of a conditional use permit to construct and operate a 723 sq. ft. hair salon at 285 W. Main Ave. in the Central Commercial Residential zoning district. The proposed salon would be an addition to the existing residence on the site. (APN 764-17-007)

Recommendation: Open Public Hearing/Adopt Resolution No. 04-56, approving request.

3. **USE PERMIT, UP-04-07: (INTERIM) DEPOT-DAYWORKER CENTER:** A request for an interim use permit to allow the deferral of eight on-site improvement requirements for a proposed day worker center to be located at the northeast corner of Depot Street and E. Main Avenue. The site is 0.68 acres and is located in the Central-Commercial Residential (CC-R) zoning district. (APN 726-14-060)

Recommendation: Open Public Hearing/Adopt Resolution No. 04-57, approving request.

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4. **ZONING AMENDMENT, ZAA-01-20: TENNANT-SAFEWAY:** A request to amend the precise development plan for the Tennant Station shopping center located on the south east corner of the intersection of Monterey Rd. and Tennant Ave. The requested amendment would allow for a reduction in the drive aisle width between the new Safeway building and the existing shopping center buildings to the east. (APN 817-06-039)

Recommendation: Open Public Hearing/Adopt Resolution No. 04-58, approving request.

5. **SUBDIVISION, SD-04-06/DEVELOPMENT APPROVAL AMENDMENT, DAA-03-11: SAN PEDRO-DICONZA:** A request for approval of an 8-lot subdivision map on .80 acres. Also, a request to amend the development agreement to include 8 additional supplement allocations for Fiscal Year (FY) 2004-2005 and to move up 8 allocations from FY 2006-2007 to FY 2005-06 for the San Pedro Villas project located at the northeast corner of Butterfield Blvd. and San Pedro Avenue. (APN 817-11-061)

Recommendation: Open Public Hearing/Adopt Resolution Nos. 04-59 (subdivision) and 04-60 (development approval amendment), with recommendation to forward the request to the City Council for approval.

6. **DEVELOPMENT APPROVAL AMENDMENT, DAA-98-11: SPRING-MALONE/FILIOVICZ:** A request for an amendment to the Development Agreement for the Spring Manor Development located on the south side of Spring Ave. The requested amendment is for a one-year extension of time. The subject site is located at 16630 Eagle Island Court in R-1 (12,000) zoning district. (APN 767-53-012)

Recommendation: Open Public Hearing/Adopt Resolution No. 04-61, approving request.

7. **DEVELOPMENT APPROVAL AMENDMENT, DAA-00-01: CHRISTEPH-KOSICH:** A request to amend the development agreement for a single family home to allow a six-month extension of time and to eliminate a requirement for a five-ft pathway. The subject site is located at 18100 Christeph Drive in an R-1(12,000) zoning district. (APN 764-32-024)

Recommendation: Open Public Hearing/Adopt Resolution No. 04-62, approving request.

TENTATIVE UPCOMING AGENDA ITEM FOR THE JUNE 22, 2004 MEETING:

- **UP-04-03: Joleen-Land Design Associates**
- **ZA-04-02: Cochrane-Assisted Living Center**
- **ZA-04-04: City of Morgan Hill-CCR Text Amendment**
- **ZA-04-07: Digital –Venture Professional Center**
- **DAA-03-12: Peet-Lupine/Alicante**
- **DAA-03-13: Mission View-Mission Ranch**
- **Planning Commission Holiday Schedule for August**

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ANNOUNCEMENTS:

CITY COUNCIL REPORTS

ADJOURNMENT

SPEAKER CARD

IN ACCORDANCE WITH GOVERNMENT CODE 54953.3, IT IS NOT A REQUIREMENT TO FILL OUT A SPEAKER CARD IN ORDER TO SPEAK TO THE PLANNING COMMISSION. HOWEVER, it is very helpful to the Commission if you would fill out the Speaker Card that is available on the counter in the Council Chambers. Please fill out the card and return it to the Deputy City Clerk. As your name is called by the Chairperson, please walk to the podium and speak directly into the microphone. Clearly state your name and address and proceed to comment upon the agenda item. Please limit your remarks to three (3) minutes.

NOTICE

AMERICANS WITH DISABILITY ACT (ADA)

The City of Morgan Hill complies with the Americans with Disability Act (ADA) and will provide reasonable accommodation to individuals with disabilities to ensure equal access to all facilities, programs and services offered by the City.

If assistance is needed regarding any item appearing on the Planning Commission agenda, please contact the Office of the City Clerk at City Hall, 17555 Peak Avenue or call 779-7259 or Hearing Impaired only - TDD 776-7381 to request accommodation.

NOTICE

NOTICE IS GIVEN pursuant to Government Code Section 65009, that any challenge of any of the above agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to the Public Hearing on these matters.

NOTICE

The time within which judicial review must be sought of the action taken by the Planning Commission which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.

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